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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/712,976

11/13/2003

Brigette Quenet

8707-2166

7349

7590 10/09/2007  
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EXAMINER

FLORY, CHRISTOPHER A

ART UNIT

PAPER NUMBER

3762

MAIL DATE

DELIVERY MODE

10/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Examiner-Initiated Interview Summary

Application No.

10/712,976

Applicant(s)

QUENET ET AL.

Examiner

Christopher A. Flory

Art Unit

3762

## All Participants:

(1) Christopher A. Flory.

(2) William Tabler (53,668).

Status of Application: \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

Date of Interview: \_\_\_\_\_

Time: \_\_\_\_\_

## Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

## Part I.

Rejection(s) discussed:

35 U.S.C. §101 rejection of claims 1-20

Claims discussed:

1-20

Prior art documents discussed:

N/A

## Part II.

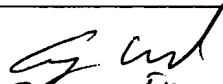
SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

## Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

  
Primary Examiner  
(Examiner/SPE Signature)

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature – if appropriate)

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Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner contacted Mr. Tabler in order to propose amendments to independent claim 1 that would provide the claimed method with a useful and tangible result in order to overcome the §101 rejection. A copy of the proposed draft claim is attached hereto, and has been faxed under separate cover to Mr. Tabler for review and comment..

**DRAFT CLAIM AMENDMENT**

1. The Examiner has proposed the following amendment to independent claim 1 in order to overcome the §101 rejection. This is an informal DRAFT claim. The amendments suggested by the Examiner appear in bold italics:

1. "***An implantable medical*** device for analyzing a ***physiological*** signal having variations that define a monodimensional function, said ***physiological*** signal having been collected, filtered, sampled and digitized, comprising:

means for memorizing the digitized ***physiological*** signal in a memory, and

processor means for analyzing the memorized ***physiological*** signal, comprising:

extracting means for decomposing the signal into a plurality of N parameterized bump functions, wherein each bump function is a continuous function having three successive intervals including a first monotonic parameterized function, an affine function, and a second monotonic parameterized function, one of said first and second monotonic parameterized functions being an increasing function and the other being a decreasing function; ***[[and]]***

classifying means for recognizing at least one characteristic parameter of each N parameterized bump function, and allotting to said bump function a standardized label selected from among a plurality of predetermined labels, according to said at least one recognized characteristic parameter; ***[[and]]***

means for storing the standardized label into memory***[[.]]***;

***analyzing means for extracting abnormal signals indicating a pathological event or rhythm disorder from the analysis of said physiological signal; and***

***means for transferring said abnormal signals to a computer display such that a physician can make a diagnosis of a condition based on said abnormal signals.***

2. Support for these claim amendments can generally be found on page 1; page 2, paragraphs 1 and 3; page 3; and page 5, paragraph 3 of the Specification.

Art Unit: 3762

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Flory whose telephone number is (571) 272-6820. The examiner can normally be reached on M - F 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on (571) 272-4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher A. Flory

28 September 2007

**George Manuel**  
Primary Examiner